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pg. 170 states By  
Primary zone  
Pg. 172 - secondary  
Pg. 304 - LC - no boundaries

Delta Stewardship Council  
Public Comment "Bethel Island Legacy Community

06-29-2012

I addressed the council last week because of some incorrect information in the Delta Plan regarding Bethel Island. I had hope that the submission of the Five Year Plan and the letter from FEMA would clarify this for staff and the council.

I believe that the boundary around Delta Coves was a simple error and that asking that the entire community be considered legacy was only a correction. I am now told that there is concern that the status will result in development. I think if you all just look at the Land Use Elements of the General Plan and even the Primary Zone study it states development is limited to one dwelling unit per parcel. I believe there was a comment yesterday that Contra Costa created this mess, let them fix it. The Delta Coves project created this mess, and the adopted land use elements were trying to address the situation from occurring again.

I watched the Delta Coves project emerge in 2004 based on conditions from a 1978 EIR/EIS. It did not have to conform with any planning law or county, state or federal regulation, and it was approved by a judge, with a warning to Contra Costa not to interfere with its development. You can blame Contra Costa County, but I witnessed other agencies remain silent on their regulatory duties regarding this project. So, please this small community has suffered enough damages as a result of bad planning. We have no fire hydrants, our fire department is closing the station on the island, we have 20 some odd private well/water systems, and none of this will be improved for the entire community at the expense of Delta Coves. One has to wonder why BI was included in the Urban Limit Line, despite all this we are a recreational outlet to urbanites, 10 marinas are placed throughout the island. The Primary Zone Study stated that we have the single highest concentration of boating related facilities in the Delta and also that the agricultural land located in the central, northern and western portions are identified by the California Department of Conservation as Prime Farmland of Local Importance. It goes on to state that our seasonal and permanent wetlands have high value as biological habitat and are considered critical natural resources by the U.S. Army Corps Of Engineers and other resource agencies.

And lastly, that the structural integrity of the levees that surround the island are inadequate to protect the island from flood events.

For the last 2 years I have worked with our district on improving flood protection and funding for our community. One concern is the new 6 objectives that DWR will need the district to prove in order to reduce our share of cost. BI will meet the disadvantages community objective, and in research I have started to see the word “legacy community” associated with it. I am concern that the policies that you are decided today will affect how we are funded for flood improvement projects in the future. We all know that thousands live behind this levee system and if a simple status, assist them in improving their flood protection, then, we all win.

I don't understand why designating the whole community as a legacy community has become such a challenge, and I have sensed some hostility towards the planning nightmare that BL has been put in. I would ask that the council postpone any actions until this challenge can be worked out with representatives from Contra Costa County, as not to penalize the citizens of Bethel Island, by denying this eventual economic funding opportunity to them. The islands characteristics as a deserving Delta Legacy Community are well outlined in the DPC ESP, and

should not be disregarded because of some internal conflict.

As stated in the Delta Plan,(page 172) development in the Secondary Zone can be coordinated as Water Code 85022 (d)(4) provides, while protecting and enhancing Bethel Island as an evolving place.

At this point I need some assistance understanding page 273 regarding policy RR P2. I believe that it states the policy covers any such action anywhere on Bethel Island outside its Legacy Community. Was the intent to require a 200 year flood projection for the island except for the boundaries of Delta Coves. The 3.9 additional levees that attach to the original levee system, will not met the states requirement for subvention or special project funding. I don't know what levee standard they met if any, because the homes will be built directly on top of the levee. In a flooding event these homes would be higher but inaccessible because their access would be blocked by flood waters. Is this statement saying that before future growth in BI that, levees are to met the 200 year standard? Yet Delta Coves does not provide 200 year protection. I believe this policy needs to be discussed with Contra Costa County.

To be honest BI will never met 200 year protection because of all the encroachments into the levee system and because a funding mechanism does not exist to get us there. We are at a minimum standard of flood protection with the most lives.

This is an opportunity for the state and county to find a solution, not to split the community up into strange flood protection statements. The key word is community. Again please postpone your decision.

Lastly, ever more daunting than the Bethel Island zoning mess and inadequate flood protection, is the western alignment of the water plan. The proposed tunnel runs right under Bethel Island, I cant find one statement or policy regarding the impact on the levee system regarding this proposed action. I am asking the Council to evaluate this action and to involve DWR, the ACOE( the coe is doing a major project on the portion of the Island, that is atop of the proposed tunnel) and that FEMA should be contacted regarding funding of a disaster caused by this action, and that counties comment on any planning regulations regarding tunneling.

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